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PTO/SB/01 (10-00)

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DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) <input type="checkbox"/> Declaration Submitted with Initial Filing <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (Surcharge (37 CFR 1.16(e)) required)	Attorney Docket Number	DEP5300
	First Named Inventor	REVIE
	COMPLETE IF KNOWN	
	Application Number	10/598,593
	Filing Date	05-Sep-2006
	Group Art Unit	TBD
	Examiner Name	TBD

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.
I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

IMPLANTABLE MARKER, INSTRUMENTS AND METHODS

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 03/07/2005 as United States Application Number or PCT International Application Number PCT/GB2005/000855 and was amended on (MM/DD/YYYY) ☐

REVIEWED THE CONTENTS OF THE APPLICATION IN MARCH 2004 AND HAVE NOT REVIEWED SINCE THE FILING DATE. AT THAT DATE I UNDERSTOOD THE CONTENTS OF THE IDENTIFIED SPECIFICATION.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES NO
0405013.4	UK	03/05/2004	<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
60/575,364	US	06/01/2004	<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
PCT/GB2005/000855	UK	03/07/2005	<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

DECLARATION - Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	
		<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status
		Patented Patented Patented

I hereby appoint:

☒ Practitioners at Customer Number **000027777** →

Place Customer
Number Bar Code
Label Here

AND

☐ Practitioner(s) named below:
Name Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Address all telephone calls to Brian S. Tomko at telephone number (732) 524-1239.

Direct all correspondence to: Customer Number ☒ or Bar Code Label **000027777** OR ☐ Correspondence address below

Name:

Address:

Address:

City:

State:

ZIP

Country

Telephone:

Fax:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventor

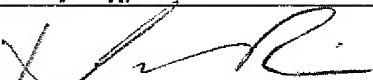
Given Name

(first and middle [if any]) Ian

Family Name

or Surname REVIE

Inventor's
Signature



Date

X 23RD JULY 2007

Residence: City N. Yorkshire

State

Country GB

Citizenship GB

Mailing Address Tutt House, New Row, Boroughbridge

City

N. Yorkshire

State

ZIP YO51 9AX

Country GB

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name

(first and middle [if any]) Alan

Family Name

or Surname ASHBY

Inventor's
Signature

Date

Residence: City York

State

Country GB

Citizenship GB

Mailing Address 19 Clifton Green

City

York

State

ZIP YO30 6LN

Country GB

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF THIRD INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) Yaacov

Family Name
or Surname NITZAN

Inventor's
Signature

Date

Residence: City Tel-Aviv

State

Country Israel

Citizenship Israel

Mailing Address 22 Herbert Samuel Road

City Tel-Aviv

State

ZIP

Country ISRAEL

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF FOURTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) Paul

Family Name
or Surname GIBBONS

Inventor's
Signature

Date

Residence: City Ilkley

State

Country GB

Citizenship GB

Mailing Address 29 Main Street, Addingham

City Ilkley

State LS29 OPD

ZIP

Country GB

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NAME OF SOLE OR FIFTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) Ben

Family Name
or Surname STUNGO

Inventor's
Signature

Date

Residence: City Leeds

State

Country GB

Citizenship GB

Mailing Address 4 Claremont Road

City Leeds

State

ZIP LS6 4EF

Country GB

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SIXTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Robert		Family Name or Surname BUTCHER	
Inventor's Signature		Date	
Residence: City Alwoodley	State LEEDS	Country GB	Citizenship GB
Mailing Address 1 Plantation Avenue			
City Alwoodley	State LEEDS	ZIP LS17 8TB	Country GB

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NAME OF SEVENTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Tom		Family Name or Surname PATTERSON	
Inventor's Signature		Date	
Residence: City Co Louth	State	Country Ireland	Citizenship GB
Mailing Address Knockagh, Hackballscross, Dundalk			
City Co Louth	State	ZIP	Country Ireland

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NAME OF EIGHTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Jury		Family Name or Surname BALDEWEIN	
Inventor's Signature		Date	
Residence: City Heimstetten	State	Country Germany	Citizenship German
Mailing Address c/o DePuy I-Orthopaedics, Ammerthalstr. 3, 85551			
City Heimstetten	State	ZIP	Country Germany

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NAME OF NINTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) James

Family Name
or Surname BROOKS

Inventor's
Signature

Date

Residence: City Leeds

State

Country GB

Citizenship GB

Mailing Address c/o DePuy International Ltd., Number One, White Rose Office Park, Millshaw Park Lane

City Leeds

State

ZIP LS11 0EA

Country GB

Please type a plus sign (+) inside this box ☐

PTO/SB/01 (10-00)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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	First Named Inventor	REVIE
	COMPLETE IF KNOWN	
	Application Number	10/598,593
	Filing Date	05-Sep-2006
	Group Art Unit	TBD
	Examiner Name	TBD

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

IMPLANTABLE MARKER, INSTRUMENTS AND METHODS
(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) as United States Application Number or PCT International Application Number PCT/GB2005/000855 and was amended on (MM/DD/YYYY)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

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I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
0405013.4 60/575,364 PCT/GB2005/000855	UK	03/05/2004	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	US	06/01/2004	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	UK	03/07/2005	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

DECLARATION - Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	
		<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

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Application Serial No.	Filing Date	Status
		Patented Patented Patented

I hereby appoint:

☒ Practitioners at Customer Number **000027777** →

Place Customer
Number Bar Code
Label Here

AND

☐ Practitioner(s) named below:
Name Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Address all telephone calls to Brian S. Tomko at telephone number (732) 524-1239.

Direct all correspondence to: Customer Number ☒ or Bar Code Label **000027777** OR ☐ Correspondence address below

Name:

Address:

Address:

City:

State:


ZIP

Country

Telephone:

Fax:

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NAME OF SIXTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Robert		Family Name or Surname BUTCHER	
Inventor's Signature 		Date 27/07/07	
Residence: City Alwoodley	State LEEDS	Country GB	Citizenship GB
Mailing Address 1 Plantation Avenue			
City Alwoodley	State LEEDS	ZIP LS17 8TB	Country GB

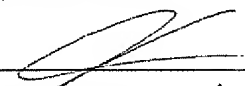
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SEVENTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Tom		Family Name or Surname PATTERSON	
Inventor's Signature		Date	
Residence: City Co Louth	State	Country Ireland	Citizenship GB
Mailing Address Knockagh, Hackballscross, Dundalk			
City Co Louth	State	ZIP	Country Ireland

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NAME OF EIGHTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Jury		Family Name or Surname BALDEWEIN	
Inventor's Signature		Date	
Residence: City Heimstetten	State	Country Germany	Citizenship German
Mailing Address c/o DePuy I-Orthopaedics, Ammerthalstr. 3, 85551			
City Heimstetten	State	ZIP	Country Germany

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NAME OF THIRD INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Yaacov		Family Name or Surname NITZAN	
Inventor's Signature 		Date 22 JULY 07	
Residence: City Tel-Aviv Herzliya	State	Country Israel	Citizenship Israel
Mailing Address 22 Herbert Samuel Road 4211 Haaliya the 2nd Rd.			
City Tel-Aviv Herzliya	State	ZIP 46320	Country ISRAEL

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF FOURTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Paul		Family Name or Surname GIBBONS	
Inventor's Signature		Date	
Residence: City Ilkley	State	Country GB	Citizenship GB
Mailing Address 29 Main Street, Addingham			
City Ilkley	State LS29 OPD	ZIP	Country GB

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIFTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Ben		Family Name or Surname STUNGO	
Inventor's Signature		Date	
Residence: City Leeds	State	Country GB	Citizenship GB
Mailing Address 4 Claremont Road			
City Leeds	State	ZIP LS6 4EF	Country GB

+41 71 637 63 33

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SIXTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Robert		Family Name or Surname BUTCHER	
Inventor's Signature		Date	
Residence: City Alwoodley	State LEEDS	Country GB	Citizenship GB
Mailing Address 1 Plantation Avenue			
City Alwoodley	State LEEDS	ZIP LS17 8TB	Country GB

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NAME OF SEVENTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Tom		Family Name or Surname PATTERSON	
Inventor's Signature		Date	
Residence: City Co Louth	State	Country Ireland	Citizenship GB
Mailing Address Knockagh, Hackballscross, Dundalk			
City Co Louth	State	ZIP	Country Ireland

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NAME OF EIGHTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Jury		Family Name or Surname BALDEWEIN	
Inventor's Signature <i>J. Baldeuin</i>		Date 9th July 2007	
Residence: City Heimstetten	State	Country Germany	Citizenship German
Mailing Address c/o DePuy I-Orthopaedics, Ammerthalstr. 3, 85551			
City Heimstetten	State	ZIP	Country Germany

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NAME OF SOLE OR FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name

(first and middle [if any]) Ian

Family Name

or Surname REVIE

Inventor's
Signature

Date

Residence: City N. Yorkshire

State

Country GB

Citizenship GB

Mailing Address Tutt House, New Row, Boroughbridge

City

N. Yorkshire

State

ZIP YO51 9AX

Country GB

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NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name

(first and middle [if any]) Alan

Family Name

or Surname ASHBY

Inventor's
Signature

Date

5/Jul/07

Residence: City York

State

Country GB

Citizenship GB

Mailing Address 19 Clifton Green

City

York

State

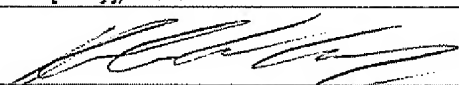
ZIP YO30 6LN

Country GB

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NAME OF THIRD INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Yaacov		Family Name or Surname NITZAN	
Inventor's Signature		Date	
Residence: City Tel-Aviv	State	Country Israel	Citizenship Israel
Mailing Address 22 Herbert Samuel Road			
City Tel-Aviv	State	ZIP	Country ISRAEL

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NAME OF FOURTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Paul		Family Name or Surname GIBBONS	
Inventor's Signature 		Date 6 June 07	
Residence: City Ilkley	State	Country GB	Citizenship GB
Mailing Address 29 Main Street, Addingham			
City Ilkley	State LS29 OPD	ZIP	Country GB


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NAME OF SOLE OR FIFTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
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Inventor's Signature		Date	
Residence: City Leeds	State	Country GB	Citizenship GB
Mailing Address 4 Claremont Road			
City Leeds	State	ZIP LS6 4EF	Country GB

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NAME OF SIXTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Robert		Family Name or Surname BUTCHER	
Inventor's Signature		Date	
Residence: City Alwoodley	State LEEDS	Country GB	Citizenship GB
Mailing Address 1 Plantation Avenue			
City Alwoodley	State LEEDS	ZIP LS17 8TB	Country GB

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NAME OF SEVENTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Tom		Family Name or Surname PATTERSON	
Inventor's Signature 		Date 3 RD JULY 2007	
Residence: City Newcastle-Upon-Tyne	State	Country GB	Citizenship GB
Mailing Address 55 Rosebury Drive, Longbenton			
City Newcastle-Upon-Tyne	State	ZIP NE12 8RG	Country GB

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF EIGHTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Jury		Family Name or Surname BALDEWEIN	
Inventor's Signature		Date	
Residence: City Heimstetten	State	Country Germany	Citizenship German
Mailing Address c/o DePuy I-Orthopaedics, Ammerthalstr. 3, 85551			
City Heimstetten	State	ZIP	Country Germany

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NAME OF NINTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle (if any)) James

Family Name
or Surname BROOKS

Inventor's
Signature

J. Brooks

Date

06/JUL/07

Residence: City Leeds

State

Country GB

Citizenship GB

Mailing Address c/o DePuy International Ltd., Number One, White Rose Office Park, Millshaw Park Lane

City Leeds

State

ZIP LS11 0EA

Country GB

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NAME OF THIRD INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Yaacov		Family Name or Surname NITZAN	
Inventor's Signature		Date	
Residence: City Tel-Aviv	State	Country Israel	Citizenship Israel
Mailing Address 22 Herbert Samuel Road			
City Tel-Aviv	State	ZIP	Country ISRAEL

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NAME OF FOURTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Paul		Family Name or Surname GIBBONS	
Inventor's Signature		Date	
Residence: City Ilkley	State	Country GB	Citizenship GB
Mailing Address 29 Main Street, Addingham			
City Ilkley	State LS29 OPD	ZIP	Country GB

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIFTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Ben		Family Name or Surname STUNGO	
Inventor's Signature <i>Ben Stungo</i>		Date 6-7-07	
Residence: City Harrogate	State	Country UK	Citizenship UK
Mailing Address: 28 St Marks Avenue			
City Harrogate	State	ZIP HG2 8AE	Country UK